

## **REMARKS/ARGUMENTS**

This application has been carefully reviewed in light of the Office Action dated August 11, 2008. Claims 1-24, 29-33, and 35-42 are presently pending, with claims 1, 18, 24, 25, 40, 41, and 42 being independent claims. Claims 29 and 35 have been amended, and new claims 41 and 42, identical to originally filed claims 28 and 34, respectively, have been added, but not in response to any of the rejections. No new matter is believed to have been introduced to the application by this amendment. Reconsideration and further examination are respectfully requested.

### ***Allowable Subject Matter***

Applicants thank the Examiner for noting the claims 25 and 27 are allowed over the prior art. Applicants also thank the Examiner for the indication that claims 9, 19, 33, and 39 would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims from which they depend. Applicants have not rewritten these claims in independent form at this time, however, since all claims in the application are believed to be in condition for allowance.

### ***Claim Rejections – 35 USC § 103***

Claims 1-8, 10-18, 20-24, 29-32, 35-38, and 40 are rejected under 35 USC § 103(a) as being unpatentable over U.S. Pat. No. 6,654,590 (“Boros”) in view of U.S. Pat. App. Pub. No. 2004/0198276 (“Tellado”). Reconsideration and withdrawal of this rejection are respectfully requested.

The claimed invention is directed to peer-to-peer communication between subscriber sets. With reference to the claims, independent claims 1, 18, 24, and 40 include the features of forming a calibrated uplink channel and a calibrated downlink channel usable for peer-to-peer communications between first and second subscriber sets based on sets of correction factors, the correction factors determined based on estimates of downlink and uplink channel responses for the first and second subscriber sets. New independent claims 41 and 42 include features previously claimed in currently rejected but now canceled claims 29 and 35, including the

feature of establishing communication between the first and second user stations using steering without performing calibration between the first and second user stations. The applied references are not understood to teach or suggest at least these features of the claimed invention.

Boros is not seen to teach peer or suggest peer-to-peer communication between subscriber sets. Boros is instead seen to teach calibrating a base station using a subscriber unit (i.e., user station). *See* Boros, col.14 ll.30-60 and col.19 ll.46-67. The Office Action contends that the “average calibration vector” of Boros disclosed at col.14 ll.35-60 and col.19 ll.46-67 discloses forming a calibrated downlink channel and a calibrated uplink channel usable between a first subscriber set and a second subscriber set. Office Action, p.3. Applicants respectfully disagree with this contention.

The average calibration vector disclosed at col.14 ll.35-60 and col.19 ll.46-67 of Boros is seen to be determined using estimates from a link between a base station and a subscriber station, or between a base station and multiple subscriber stations. The average calibration vector is not determined using estimates from a link between one subscriber station and another subscriber station. In fact, nowhere does Boros teach or suggest providing calibration for a link between one subscriber station and another subscriber station. Rather, the calibration described in Boros is seen to be limited to communication between a base station and a subscriber unit.

Consequently, Boros is not seen to teach or suggest forming a calibrated uplink channel and a calibrated downlink channel usable for peer-to-peer communications between first and second subscriber sets based on sets of correction factors, the correction factors determined based on estimates of downlink and uplink channel responses for the first and second subscriber sets, as recited in independent claims 1, 18, 24, and 40. Similarly, nowhere does Boros teach or suggest establishing communication between the first and second user stations using steering without performing calibration between the first and second user stations, as featured in independent claims 41 and 42.

Tellado, which was applied in combination with Boros, is not seen to disclose anything to remedy the noted deficiencies of Boros. Specifically, Tellado is not seen to teach or suggest peer-to-peer communication between subscriber sets.

Tellado is directed to receiving a plurality of information signals at a receiver. Tellado,

Abstract. The Office Action contends that Tellado at paragraph [0026] discloses a method for peer-to-peer communication between first and second sets of nodes in a wireless communication system. Office Action, p.4. Applicants respectfully disagree with this contention.

Nowhere does Tellado teach or suggest communication between one subscriber station and another subscriber station. Instead, Tellado teaches communication between a base station and a subscriber unit. Tellado at paragraph [0026], which was cited in the Office Action, is seen to disclose a receiver that includes a plurality of receiver channels, where each receiver channel corresponds to a transmission channel. The transmission channels of Tellado, however, are only ever disclosed as belonging to a base transceiver station, and likewise Tellado's receiver channels are only ever disclosed as belonging to a subscriber unit. Tellado, paragraphs [0002], [0010], and [0043]. Thus, Tellado, only teaches communication between a base station and a subscriber set.

Consequently, Tellado is not seen to teach or suggest forming a calibrated uplink channel and a calibrated downlink channel usable for peer-to-peer communications between first and second subscriber sets based on sets of correction factors, the correction factors determined based on estimates of downlink and uplink channel responses for the first and second subscriber sets, as recited in independent claims 1, 18, 24, and 40. Similarly, nowhere does Tellado teach or suggest establishing communication between the first and second user stations using steering without performing calibration between the first and second user stations, as featured in independent claims 41 and 42.

Accordingly, the applied references, either along or in combination, are not understood to teach or suggest at least the features of forming a calibrated uplink channel and a calibrated downlink channel usable for peer-to-peer communications between first and second subscriber sets based on sets of correction factors, the correction factors determined based on estimates of downlink and uplink channel responses for the first and second subscriber sets, as recited in independent claims 1, 18, 24, and 40, or establishing communication between the first and second user stations using steering without performing calibration between the first and second user stations, as featured in independent claims 41 and 42.

The other claims in the application are dependent from the independent claims discussed

above and therefore are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

### CONCLUSION

Therefore, for at least the reasons presented above with respect to all of the pending claims subsequent to entry of this response, Applicants assert that all claims are patentably distinct from all of the art of record. All objections and rejections having been addressed, it is respectfully submitted that this application is in condition for allowance and a Notice to that effect is earnestly solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**Charge Statement:** For this application, the Commissioner is hereby authorized to charge any required fees or credit any overpayment to Deposit Account 17-0026.

Respectfully submitted,  
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